

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
JUNE 8, 2016**

**CALL TO
ORDER
6:00 pm**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. at the Earl Bennett Building, Conference Rooms A and B, 1035 1st Ave W, Kalispell, Montana. Board members present were Marie Hickey-AuClaire, Ron Schlegel, Dean Sirucek, Jim Heim, Jeff Larsen, Mike Horn, and Greg Stevens. Kevin Lake had an excused absence. Mark Mussman, Erik Mack, Donna Valade, and Rachel Ezell represented the Flathead County Planning & Zoning Office.

There were 24 people in the audience.

**APPROVAL OF
MINUTES
6:01 pm**

Schlegel made a motion, seconded by Larsen to approve the May 11, 2016 meeting minutes.

**ASK THE
QUESTION
6:01 pm**

Hickey-AuClaire asked the question.

**ROLL CALL
VOTE
APPROVAL OF
MINUTES
6:01 pm**

On a roll call vote the motion passed unanimously.

**PUBLIC
COMMENT
(not related to
agenda items)
6:01 pm**

None

**NW DEV GROUP
LLC
(FPMA-16-01)
6:02 pm**

A request Sands Surveying, Inc., on behalf of NW Dev Group for a master plan map amendment to extend the boundary of the Two Rivers Neighborhood Plan, to include the subject property. The applicant is requesting the master plan amendment in order to incorporate it into their larger development known as 'Trumble Creek Crossing'. The new designation for the subject property would be 'Urban 8+'. The property is located at 998 Rose Crossing and contains approximately 20 acres.

STAFF REPORT Mack reviewed Staff Report FPMA 16-01 for the Board.
6:02 pm

BOARD None
QUESTIONS
6:03 pm

APPLICANT Erica Wirtala-Sands Surveying stated she was representing NW
PRESENTATION Dev Group. Wirtala stated that the applicant had worked with
6:04 pm the property owners at the time the original Two Rivers Master Plan went into effect and then purchased the property next door always anticipating that it would go forward as part of the master development. She stated Phase 1 was nearly complete and the applicant has preliminary approval for Phases 2 through 4. She spoke to the comment from the City of Kalispell Planning Department.

BOARD Sirucek asked if there was a choice for a zoning change between
QUESTIONS existing and high density 8+ considered.
6:07 pm

Wirtala stated that because the entire rest of the holdings for NW Dev Group are zoned R-4, they decided to make that a continuation so as not to be considered spot zoning. She stated that the applicant would like to have the flexibility that the R-4 zoning allows.

Heim asked where the edge of the Evergreen Water and Sewer District were in relation to the property.

Wirtala explained where this was.

AGENCY None
COMMENTS
6:11 pm

PUBLIC None
COMMENT
6:11 pm

APPLICANT None
REBUTTAL
6:11 pm

STAFF None

REBUTTAL
6:11 pm

**MAIN MOTION
TO ADOPT
F.O.F.
(FPMA-16-01)**
6:12 pm

Sirucek made a motion seconded by Larsen to adopt staff report FPMA-16-01 as findings-of-fact.

**BOARD
DISCUSSION**
6:12 pm

None

**ASK THE
QUESTION**
6:13 pm

The question was asked.

**ROLL CALL TO
ADOPT F.O.F.
(FPMA-16-01)**
6:13 pm

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**
6:13 pm

None

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FPMA-16-01)**
6:13 pm

Schegel made a motion seconded by Heim to adopt Staff Report FPMA-16-01 and recommend approval by resolution to the Board of County Commissioners.

**BOARD
DISCUSSION**
6:13 PM

None

**ASK THE
QUESTION**

Hickey-AuClaire asked the question.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FPMA-16-01)**
6:14 pm

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION
6:14 pm**

None

**NW DEV GROUP
LLC
(FZC-16-03)
6:14 pm**

A zone change request in the Evergreen Zoning District by Sands Surveying, on behalf of NW Dev Group. The proposal would change the zoning on a parcel containing approximately 20 acres from SAG-10 (*Suburban Agricultural*) to R-4 (*Two-Family Residential*). The subject property is located at 998 Rose Crossing.

**STAFF REPORT
6:15 pm**

Mack reviewed Staff Report FZC-16-03 for the Board.

**BOARD
QUESTIONS
6:18 pm**

None

**APPLICANT
PRESENTATION
6:18 pm**

Erica Wirtala-Sands Surveying stated that the applicant would most likely not have any subdivision development exit directly out onto Rose Crossing but would utilize an interior road so that there would be minimal impact to Rose Crossing.

**BOARD
QUESTIONS
6:20 pm**

None

**AGENCY
COMMENTS
6:20 pm**

None.

**PUBLIC
COMMENT
6:20 pm**

None

**APPLICANT
REBUTTAL
6:20 pm**

None

**STAFF
REBUTTAL
6:20 pm**

None

MAIN MOTION TO ADOPT F.O.F. (FZC-16-03) 6:20 pm	Stevens made a motion seconded by Sirucek to adopt staff report FZC-16-03 as findings-of-fact.
BOARD DISCUSSION 6:21 pm	None
ASK THE QUESTION 6:21 pm	The question was asked.
ROLL CALL TO ADOPT F.O.F. (FZC-16-03) 6:22 pm	On a roll call vote the motion passed unanimously.
BOARD DISCUSSION 6:21 pm	None
MAIN MOTION TO RECOMMEND APPROVAL 6:23 pm	Stevens made a motion seconded by Larsen to adopt Staff Report FZC-16-03 and recommend approval to the Board of County Commissioners.
ASK THE QUESTION 6:23 pm	The question was asked.
ROLL CALL TO RECOMMEND APPROVAL 6:23 pm	On a roll call vote the motion passed 6-1.
ROY & MARCELLA VAN DEREN (FZC-16-04) 6:23 pm	A zone change request in the in the Evergreen Zoning District by Roy and Marcella Van Deren. The proposal would change the zoning on a parcel containing 0.46 acres from <i>B-2/EEO (General Business/Evergreen Enterprise Overlay)</i> to <i>R-5 (Two Family residential)</i> . The subject property is located at 116 Poplar Drive.
STAFF REPORT	Mack reviewed Staff Report FZC-16-04 for the Board.

6:24 pm

**BOARD
QUESTIONS
6:27 PM**

None

**APPLICANT
PRESENTATION
6:27 pm**

Roy Van Deren-825 Helena Flats Rd, Kalispell stated that he is on the edge of B-2 zoning. The house next to him is already a duplex and the house on the west side is a mobile home and a house. Van Deren stated he felt he was in a little island of B-2 zoning which would not allow him to do what he wanted to on the property.

**BOARD
QUESTIONS
6:27 pm**

None

**AGENCY
COMMENT
6:27 pm**

None

**PUBLIC
COMMENT
6:27 pm**

None

**STAFF
REBUTTAL
6:27 pm**

None

**APPLICANT
REBUTTAL
6:27 pm**

None

**BOARD
QUESTION
6:28 pm**

None

**MAIN MOTION
TO ADOPT
F.O.F.
(FZC-16-04)
6:28 pm**

Sirucek made a motion seconded by Schlegel to adopt staff report FZC-16-04 as findings-of-fact.

**BOARD
DISCUSSION**

None

6:28 pm

**ASK THE
QUESTION
6:28 pm**

The question was asked.

**ROLL CALL TO
ADOPT F.O.F.
(FZC-16-04)
6:28 pm**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION
6:28 pm**

None

**MAIN MOTION
TO
RECOMMEND
APPROVAL
6:28 pm**

Heim made a motion seconded by Sirucek to adopt Staff Report FZC-16-04 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION
6:28 pm**

Steven stated he thought there was a need for affordable housing in the area and was in favor of the zone change.

**ASK THE
QUESTION
6:29 pm**

Hickey-AuClaire asked the question.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FZC-16-04)
6:30 pm**

On a roll call vote the motion passed unanimously.

**JACK PALMER
(FLV-16-02)
6:30 pm**

A request by Jim Doepker on behalf of Jack Palmer for a Major Lakeshore Variance to the Dredge, Fill and Swim Beach Creation Standards of the Flathead County Lake and Lakeshore Protection Regulations (FCLR), specifically Section 4.3(F)(2)(h)(5) and Section 4.3(F)(2)(h)(6) to allow for 66 cubic yards of clean washed fill material to be placed lake ward of existing riprap. The subject property is located at 679 Conrad Point in Lakeside.

**STAFF REPORT
6:33 pm**

Valade reviewed Staff Report FLV-16-02 for the Board.

**BOARD
QUESTIONS
6:36 pm**

Larsen asked if this was approved would it be setting precedence for other lake properties up and down the shoreline.

Sirucek asked about the discrepancy between Condition 17 which states: The volume of fill shall not exceed seventy-five (75) cubic yards and the application which stated sixty-six (66) cubic yards.

Valade stated that the Condition should be changed to read sixty-six (66) cubic yards.

**APPLICANT
PRESENTATION
6:37 pm**

Jim Doepker-605 Capistrano Dr., Kalispell stated he was the landscape contractor that came up with the plan. He stated that he used this design to stop erosion along the bank. Doepker stated that the applicant is opposed to building a dock.

**BOARD
QUESTIONS
6:39 pm**

Stevens asked about this project helping reduce the accumulation of gravel on the neighbor's property. He asked if Doepker knew the amount of fill that was removed every year.

Doepker stated that approximately sixty (60) to eighty (80) yards every year.

Sirucek asked about the size of the gravel.

Doepker stated three quarter (3/4) up to two (2) inch.

**AGENCY
COMMENTS
6:42 pm**

None

**PUBLIC
COMMENT
6:45 pm**

None

**APPLICANT
REBUTTAL
6:46 pm**

None

**STAFF
REBUTTAL
6:46 pm**

None

**BOARD
QUESTIONS
6:46 PM**

Schlegel stated that the main rocks would be out there on this spit twelve (12) inches below the high water mark, would there be any type of buoy to alert boaters.

Doepker stated that it was only 14 feet from the shore and that there were 2 large boulders further out that border this.

**MAIN MOTION
TO ADOPT
F.O.F.
(FLV-16-02)
6:47 pm**

Stevens made a motion seconded by Heim to adopt staff report FLV-16-02 as findings-of-fact.

**BOARD
DISCUSSION
6:47 pm**

Stevens spoke to the amount of gravel that accumulates along the neighbors dock. He spoke about the difficulty of removing the gravel. Stevens stated that the idea behind this application seemed like a good one.

Schlegel stated he was leery because of a similar application in the Bigfork area where the wrong fill material was used which created a violation.

Sirucek stated he thought the design concept was a good one.

Heim spoke about presentations by Dr. Morang on how to prevent erosion. He stated that this application sounded consistent with what Morang said even though Dr. Morang was not consulted.

Larsen stated that some of the concerns are valid as the results are a little unpredictable when working with rock. He stated he thought the design concept was good.

Hickey-AuClaire stated she like the idea of it.

**ASK THE
QUESTION
6:55 pm**

Hickey-AuClaire asked the question.

**ROLL CALL TO
ADOPT F.O.F.
(FLV-16-02)
6:50 pm**

On a roll call vote the motion passed unanimously.

BOARD

None

DISCUSSION
6:51 pm

**MAIN MOTION
TO
RECOMMEND
APPROVAL OF
CONDITIONS
(FLV-16-02)**
6:56 pm

Sirucek made a motion seconded by Larsen to adopt Staff Report FLV-16-02 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION**
6:56 pm

None

**ASK THE
QUESTION**
6:56 pm

The question was asked.

**ROLL CALL TO
RECOMMEND
APPROVAL**
6:57 pm

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**
6:57 pm

Hickey AuClaire asked about the correction to Condition 17 changing the seventy-five (75) cubic yards to sixty-six (66) cubic yards.

Mussman stated the Condition would be changed when it went in front of the Commissioners' so it would not exceed sixty-six (66) cubic yards.

**WHITEFISH
RIVER TRAIL
PH 2-5**
6:58 pm

A request from Conservation Land Use, LLC for preliminary plat approval of Whitefish River Trails Phase 2-5; a 17-lot clustered residential subdivision located approximately 1/3 mile east of Whitefish Stage along Mannington Street. The proposed subdivision would create 17 single-family residential lots with 16 of the lots clustered toward the western side of the property. A 42.48 acre parcel located along Whitefish River serves as the open space lot and can be developed with one single family dwelling per the Flathead County Zoning Regulations. The clustered lots would be served by shared wells and individual wastewater treatment systems and the open space lot will utilize an individual well and septic system. Primary access to the

subdivision would be from Mannington Street and the applicants are requesting a variance to paving the rest of Mannington Street to Lot 21.

STAFF REPORT
6:59 pm

Ezell reviewed Staff Report FPP-16-01 for the Board.

Ezell stated the developer would like to amend condition 25 to read: Lot 21 is an open space lot pursuant to Section 5.09 Flathead County Zoning Regulations and is therefore prohibited from any further divisions of land or change in use of the property until such time as the planning and zoning documents for the area are amended to facilitate appropriate additional development/uses.

BOARD
QUESTIONS
7:09 pm

Larsen asked if the open space lot was park land.

Ezell stated page twenty (20) of the staff report addresses that issue.

Larsen asked if the people in the subdivision would be able to use lot 21.

Ezell stated yes.

Stevens asked what was there that guaranteed that the people of the subdivision would be able to use that lot.

Ezell stated that the developer indicated that they would put an easement on lot 21 to provide for the primitive trails that they talk about in the application.

Stevens asked if there was currently a condition in the staff report that would ensure that this was met.

Ezell stated that Condition 25 currently states: Lot 21 is an Open Space lot pursuant to Section 5.09 Flathead County Zoning Regulations and is therefore prohibited from further divisions of land and may be used for the enjoyment of residents of the Whitefish River Trails development. [Section 5.09.020(8), FCZR]

Steven stated that without a specific condition stating that the development would have access to lot 21, the owner of that lot may not grant access.

Larsen agreed.

Larsen asked if the road going back to lot 21 was a subdivision road.

Ezell stated that technically it could be called a driveway. She stated that she would consider it a subdivision road because it is providing access to a lot.

Larsen asked if the planning board was required to provide a subdivision road to every road with a sixty (60) foot right of way and it had to meet the subdivision regulations.

Ezell stated yes.

Larsen stated the way the road is designed it doesn't appear to meet these regulations.

Larsen also stated that it appeared to be a flag lot.

Ezell explained why the developer designed it the way they did.

Larsen asked about cluster provision performance standards that state each cluster site should be located off of prime agricultural land to the greatest extent possible.

Ezell discussed this issue at length.

The Board discussed the conservation easement at length.

Sirucek asked about the connection between the strips of land.

Ezell stated it was part of lot 21.

Larsen asked if flag lots were allowed in SAG-5 zoning.

Ezell stated that flag lots were only allowed in R-zoning and that this would require a zoning variance to have a flag lot on lot 21.

The Board discussed at length the current approach permit.

The Board discussed at length the access road to the new development.

**APPLICANT
PRESENTATION
7:33 pm**

Eric Mulcahy-Sand Surveying-2 Village Loop, Kalispell stated he is representing the applicant Conservation Land Use LLC. He stated the applicant wanted to develop a cluster subdivision while still preserving the sensitive areas along the river bank. The property is a misshapen lot with a lobe on both ends and a 10 foot strip of land connecting the lobes, therefore, he does not feel they are creating a flag lot, it already exists. Mulcahy stated that lot 21 would have a single home and agricultural uses. He stated that because of this he considered the road going back to lot 21 a driveway as you would not create a subdivision road to one (1) lot. He spoke to the secondary egress stating this was not a high fire hazard area, and the applicant is installing a 30,000 gallon tanker recharge facility for the first four (4) lots. Mulcahy spoke to the use of lot 21 as open space land for the subdivision. He stated there would be a private owner on lot 21 and they did not want the subdivision to have full access to this lot. He stated that they would consider a condition addressing a portion of lot 21 as park land with access to lot 21 from the subdivision.

**BOARD
QUESTIONS
7:38 pm**

Larsen asked if the area was tract land.

Mulcahy stated it was.

The Board again discussed the road to lot 21 extensively.

Hickey-AuClaire asked about the conservation easement.

The Board and applicant discussed this at length.

The Board discussed at length the access to the subdivision as well as to lot 21.

The Board took a break to review public comment from 8:02 pm until 8:13 pm.

**AGENCY
COMMENTS
8:02 pm**

None.

**PUBLIC
COMMENT
8:13**

Robert Rigg-31 Bar H Dr., Kalispell stated he is one of the owners and was in favor of the subdivision.

Jason Sonju-305 Columbia Ave, Whitefish, MT stated he and his wife own tract 2. He was concerned about the entry off of Whitefish Stage. Sonju also stated he was concerned about the

driveway back to lot 21.

Ralph Hemp-1930 Pine Grove, Kalispell stated he was assured that the land would not be divided under 5 acres. He was concerned about the clustering being on only 20 acres and not on the 40 acre parcel which would make these lots one (1) acre lots. He stated he is opposed.

Andrea Falcon-2075 Pine Grove Lane, Kalispell was worried about the additional phases adding more houses.

William Ash-1870 Pine Grove Lane, Kalispell spoke against the subdivision as the zoning was SAG-5 and the cluster development would be on one (1) acre lots.

Jeremiah Maynard-2481 Whitefish Stage, Kalispell was concerned about the traffic generated by this development and the access to Whitefish Stage. He was opposed to the subdivision.

Melinda Sonju-305 Columbia Ave, Whitefish spoke against the subdivision. She didn't want parcels under the 5 acre size.

John Swartz-3248 Farm to Market Road owns the 42 acre parcel. He felt it was important that the bluff did not get filled with home sites. He spoke to the conservation easement stating it was an agricultural easement to prevent grazing which expires in thirteen (13) years. He spoke to the homeowner's access to lot 21 stating it would be to access the river only. Swartz stated no one would have free access to this lot.

**APPLICANT
REBUTTAL
8:57 pm**

None

**BOARD
QUESTIONS
8:57 pm**

Sirucek asked about the clustered lots using shared wells.

Mulcahy stated that 2 lots share a well or approximately 10 wells.

**STAFF
REBUTTAL
9:00 pm**

None

**BOARD
QUESTIONS
9:01 pm**

Hickey-AuClaire asked about the road system.

Mulcahy stated they used a hammerhead out of phase 1.

The board discussed the phasing process at length.

**MAIN MOTION
TO ADOPT
F.O.F.
(FPP-16-01)
9:09 pm**

Larsen made a motion seconded by Sirucek to adopt staff report FPP-16-01 as findings-of-fact.

**BOARD
DISCUSSION
9:09 pm**

Stevens asked about Finding #3 part four (4) Recreation; Stevens stated that the open space lot would not meet the requirements for parkland. Larsen agreed.

Larsen stated that the road variance needed to be addressed. He stated that Finding 18 would need to be changed.

The Board discussed the easements at length.

The Board discussed the parkland at length.

Larsen stated that without knowing where the park was going to be and how it would be accessed he did not feel he could move forward on this application.

Mussman stated the Board could table the application to a date certain to give the developer time to address the issues that had been raised concerning the parkland, the variance for the driveway, and the easements.

Larsen asked the Mulcahy what the applicant would like to do.

The Board took a short break to allow Mulcahy to speak with the applicant.

After the break, Mulcahy stated the applicant would like to table the application to a date certain in August to give the applicant time to address the issues raised by the Board.

**MOTION TO
WITHDRAW
9:34 pm**

Larsen made a motion seconded by Sirucek to withdraw the motion to adopt staff report as findings-of-fact.

**MOTION TO
TABLE TO A
DATE CERTAIN
9:34 pm**

Larsen made a motion seconded by Sirucek to table the application to the August 10, 2016 meeting.

**ROLL CALL TO
TABLE
9:35 pm**

On a roll call vote the motion passed unanimously.

**SUBDIVISION
#293
(FPP-16-03)
9:37 pm**

A request from Sands Surveying, Inc. on behalf of Albert Clarke and James Ruggles for Preliminary Plat approval of Subdivision #293, a 2-lot residential subdivision located at 629 Alpine Lane in Kalispell. The proposed subdivision would create one additional single-family residential lot and would be served by Evergreen water and individual well and individual wastewater treatment systems. Primary access to the lots would be from Alpine Lane. The applicants are currently in the process of rezoning the property from R-1 (Suburban Residential) to R-2 (One Family Limited Residential).

**STAFF REPORT
9:37 pm**

Ezell reviewed Staff Report FPP-16-03 for the Board.

Ezell stated that condition 17 was not on the staff report that was forwarded to the board in their packets and it should read:

‘The subject property shall be rezoned from R-1 to R-2 prior to final plat.’

Ezell also stated the condition 15 should be amended as follows: An Administrative Conditional Use Permit must be granted for the subject property to have an accessory structure on the lot prior to a principle structure *‘being constructed.’*

**BOARD
QUESTIONS
9:44 pm**

None

**APPLICANT
PRESENTATION
9:44 pm**

Erica Wirtala-Sand Surveying-2 Village Loop, Kalispell stated she is representing the applicants. She stated it was a two (2) lot subdivision with access off Alpine Drive.

Wirtala stated that condition 2 needed to be amended as follows:

The developer shall comply with reasonable fire suppression and

access requirements of the ~~Somers-Lakeside~~ Evergreen Fire District. A letter from the fire chief stating that the plat meets the requirements of the Fire District (or Department) shall be submitted with the application for Final Plat.

**BOARD
QUESTIONS
9:45 pm**

Sirucek asked about sharing the water.

Wirtala stated that this was on Evergreen water but not Evergreen sewer. Each lot would have a separate septic and drain field.

Wirtala stated that Clarke was going to convert the accessory building into the primary residence negating condition 16.

Schlegel asked about the comment received under a previous application by the applicants regarding "junk vehicles" on the property.

Wirtala addressed this issue.

**ADDITIONAL
APPLICANT
PRESENTATION
9:47 pm**

James Clarke-6291/2 Alpine Drive stated he bought the shop from Ruggles last year. As soon as the zone change was approved he would put the septic in. Evergreen water is already to the property. He also stated that he put the patch in the road. Clarke stated he does have some antique vehicles but they were all licensed and running but three (3).

**BOARD
QUESTION
9:49 pm**

None

**AGENCY
COMMENT
9:49 pm**

None

**PUBLIC
COMMENT
9:49 pm**

None

**STAFF
REBUTTAL
9:49 pm**

None

APPLICANT

None

REBUTTAL
9:49 pm

MAIN MOTION
TO ADOPT
F.O.F.
(FPP-16-03)
9:51 pm

Larsen made a motion seconded by Dean to adopt staff report FPP-16-03 as findings-of-fact as amended.

BOARD
DISCUSSION
9:52 pm

ASK THE
QUESTION
9:52 pm

Horn asked the question.

ROLL CALL TO
TO ADOPT
F.O.F.
(FPP-16-03)
9:52 pm

On a roll call vote the motion passed unanimously.

MAIN MOTION
TO
RECOMMEND
APPROVAL
(FPP-16-03)
9:52 pm

Larsen made a motion seconded by Sirucek to recommend approval to the Board of County Commissioner's.

BOARD
DISCUSSION
9:52 pm

None

ASK THE
QUESTION
9:52 pm

Stevens asked the question.

ROLL CALL TO
RECOMMEND
APPROVAL
(FPP-16-03)
9:52 pm

On a roll call vote the motion passed unanimously.

RESUB LOT 44

A request from Brent Higgins for preliminary plat approval of the

**COUNTRY
VILLAGE #2
(FPP-16-02)
9:53 pm**

Resubdivision of Lot 44 Country Village #2, a 2-lot residential subdivision located at 640 Country Way in Kalispell. The proposed subdivision would create one additional single-family residential lot on Country Way and would be served by Evergreen Water and individual wastewater treatment systems. Primary access to the lots would be from Country Way.

**STAFF REPORT
9:53 pm**

Ezell reviewed the Staff Report FPP-16-02 for the Board.

Ezell addressed concerns from Richard Timboe specifically traffic conditions along West Reserve and Whitefish Stage, the removal of trees that create a buffer to the noise and setting a precedent for other neighbors to subdivide.

**BOARD
QUESTIONS
9:56 pm**

None

**APPLICANT
PRESENTATION
9:56 pm**

Brent Higgins-640 Country Way, Kalispell stated he and his wife just retired and would like to downsize. He stated this would not detract from the character of the area as most of the lots in the subdivision are already 1+ acre lots.

Higgins stated he had no plans to remove vegetation and he did not think it would set a precedent as most of the lots were already 1 acre.

**AGENCY
COMMENT
10:00 pm**

None

**PUBLIC
COMMENT
10:00 pm**

Rick Gordon-626 Country Way, Kalispell was concerned about setting precedent.

Genevieve Graham-631 Country Way, Kalispell-stated she is concerned about it setting precedent, increased traffic, and the safety of the residents.

**STAFF
REBUTTAL
10:04 pm**

None

**APPLICANT
REBUTTAL
10:04 pm**

Higgins stated that 32 of the 40 lots in the subdivision are under 2 acres and can't be further subdivided.

**MOTION TO
ADOPT F.O.F.
(FPP-16-02)
10:04 pm**

Heim made a motion seconded by Schlegel to adopt the staff report FPP-16-02 as findings of fact.

**BOARD
DISCUSSION
10:04 pm**

Stevens stated that the infrastructure was already in place.

Larsen stated it would not set a precedent as at least two (2) other people had already subdivided.

**ASK THE
QUESTION
7:56 pm**

Larsen asked the question.

**ROLL CALL TO
ADOPT F.O.F.
(FPP-16-02)
10:07 pm**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FPP-16-02)
10:07 pm**

Stevens made a motion seconded by Larsen to recommend approval to the Board of County Commissioner's.

**BOARD
DISCUSSION
10:07 pm**

None

**ASK THE
QUESTION
10:07 pm**

The question was asked.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FPP-16-02)
10:07 pm**

On a roll call vote the motion passed unanimously.

**OLD BUSINESS
10:08 pm**

None

NEW BUSINESS

None

10:08 pm

ADJOURNMENT Larsen made a motion to adjourn.

10:09 pm


Marie Hickey-AuClaire, Chairman


Danene Thornton, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 07 / 13 / 16